

LOVETT & GOULD, LLP
ATTORNEYS AT LAW

JONATHAN LOVETT
JANE BILUS GOULD

222 BLOOMINGDALE ROAD
WHITE PLAINS, N.Y. 10605

KIM PATRICIA BERG+
DRITA NICAJ+

+also admitted in New Jersey

914-428-8401
FAX 914-428-8916
August 10, 2007

VIA FACSIMILE

Honorable Charles L. Brieant
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

**Re: Sinkov v. Smith, et al.,;
07 Civ 2866 (CLB)(MDF)**

Dear Judge Brieant:

First, I am writing to request the Court's assistance in resolving a discovery dispute with respect to Defendant Americor's assertion of various "privileges" in connection with discovery requests served by Plaintiff. Attached hereto is a copy of Defendant Americor's privilege log.

We believe Defendants' assertions of the "self critical analysis privilege" and "documents prepared in anticipation of litigation" by non-attorneys to non-attorneys are not sufficient to preclude disclosure of these documents in this case. I have attempted to resolve this dispute with counsel for Americor, Bernice Margolis, but have been unsuccessful.

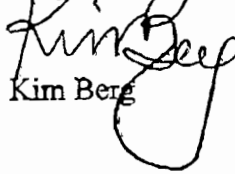
We therefore request the Court's assistance in resolving this dispute.

Second, I am writing on consent of all parties to request additional time for discovery. Currently, the deposition cut-off is currently set for August 29, 2007, the discovery cut off is October 12, 2007 and the final pretrial conference is on December 7, 2007.

Written discovery has commenced but is not completed. Defendants are still in the process of gathering all documents responsive to discovery requests served upon them June 14, 2007. We have also subpoenaed documents from the State pertaining to their investigation of two suicides in the Putnam County Jail. In addition, Mr. Randazzo and I have had several conversations with respect to attempts to resolve the matter.

Due to the nature and seriousness of the claim asserted here, involving the death by suicide of a young man incarcerated in the Putnam County jail, the parties are in agreement that additional time for discovery is required. We anticipate taking several party and non-party depositions, as well as retaining at least one expert. The parties therefore jointly and respectfully request an extension to December 7, 2007 to complete all discovery and an adjournment of the pre-trial conference to a date in mid to late January 2008.

Respectfully submitted,


Kim Berg

KB:nb

cc: James A. Randazzo, Esq. (via facsimile)
Bernice Margolis, Esq. (via facsimile)

PRIVILEGE LOG OF DEFENDANT AMERICOR, INC.

IN ACTION ENTITLED DONNY A. SINKOV, as Administrator of the Estate of Spencer E. Sinkov, deceased, DONNY A. SINKOV and HARA SINKOV v. DONALD B. SMITH, individually and in his official capacity as Sheriff of Putnam County, JOSEPH A. VASATURO, individually, LOUIS G. LAPOLLA, individually, THE COUNTY OF PUTNAM, New York and AMERICOR, INC.
07 Civ. 2866 (CLB)
July 31, 2007

DOC. #	TYPE OF DOC.	DATE OF DOC.	AUTHOR OF DOCUMENT	RECIPIENT OF DOCUMENT	CC: ON DOC.	SUMMARY OF DOCUMENT	PRIVILEGE CLAIMED
1	Memorandum	November 16, 2004	Kevin Duffy	N/A		Memorandum concerning Norberto Rivera	Self-critical analysis
2	Memorandum	March 30, 2004	Kevin Duffy	Dr. Michael Neshweihat, Michele Murnane, R.N., Theresa Daley, R.N. and Judy Szirmai, R.N.		Memorandum concerning Commission Investigation	Anticipation of Litigation
3	Memorandum	January 13, 2007	Kevin Duffy	All Personnel		Potential Legal Claim	Anticipation of Litigation
4	Letter	July 3, 2007	Kevin Duffy	Susan Waters	Tim Coon, Esq.	Pending Lawsuit	Work product; Attorney-client
5	QA Document	Undated	N/A	N/A		Quality Assurance	Self Critical Analysis